

RECEIVED
CENTRAL FAX CENTER

P.3/4
OFFICIAL

JUL 15 2004

Docket No. P-5474-D1-C1-C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of Michael J. Sullivan et al.

Serial No.: 10/077,148

Examiner: R. Gorden

Filing Date: February 15, 2002

Group Art Unit: 3711

For: GOLF BALL WITH SOFT CORE

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board of Patent Appeals and Interferences from a decision of the Primary Examiner mailed April 20, 2004 finally rejecting claims 38 to 42, 44 to 49 and 51 to 57.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

— deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: July 15, 2004

FACSIMILE

XX transmitted by facsimile to the Patent and Trademark Office to Examiner R. Gorden in TC1700 at 703-872-9306.


Michelle Bugbee

10/077,148

P-5474-D1-C1-C1

The items checked below are appropriate:

1. STATUS OF APPLICANT

XX This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(e), the fee for filing the Notice of Appeal is:

XX other than small entity \$330.00
 small entity \$160.00

3. EXTENSION OF TERM

 Applicant hereby petitions for an additional one month extension of time under 37 C.F.R. § 1.136, thereby extending the period for response to _____.

4. TOTAL FEES DUE

The total fee due is:

Notice of Appeal Fee: \$330.00
Extension of Time Fee: \$0.00

5. FEE PAYMENT

Please charge Deposit Account No. 17-0150 in the amount of \$330.00 as indicated on the Fee Transmittal. If any additional extension and/or fee is required, this is a request therefor and authorization to charge Deposit Account No. 17-0150.

Respectfully submitted,

MICHAEL J. SULLIVAN ET AL.

Customer No. 24492
(413)322-2937

Date: July 15, 2004

By Michelle Bugbee
Michelle Bugbee, Reg. No. 42,370
Attorney for Applicants
The Top-Flite Golf Company
A wholly-owned subsidiary of Callaway Golf Company
425 Meadow Street
P.O. Box 901
Chicopee, MA 01021-0901